

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

**HOLLIS ALLEN THRASHER,** )  
                                  )  
                                  )  
**Plaintiff,**                 )  
                                  )  
v.                             )     **No. 2:19-cv-00010**  
                                  )  
**LELAND DUDEK, Acting Commissioner** )  
**of Social Security Administration,**     )  
                                  )  
**Defendant.**                 )

**ORDER**

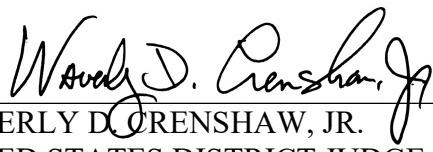
Before the Court is the Magistrate Judge's Report and Recommendation ("R&R") (Doc. No. 26) recommending that the Court grant Plaintiff's motion for an award of attorney's fees, in which Plaintiff's counsel Donna Simpson ("Ms. Simpson") requests an award of \$10,000.00. (Doc. No. 20). Defendant Social Security Administration ("SSA") has not filed timely objections to the R&R despite the R&R's specific warnings regarding waiver. (See Doc. No. 26 at 8). Instead, SSA has affirmatively indicated it has no objections to the R&R. (Doc. No. 27).

Having thoroughly reviewed the R&R, the Court agrees with the Magistrate Judge's analysis. Specifically, the Court agrees that: (1) Ms. Simpson's failure to timely file her motion is not fatal to her request for fees; and (2) Ms. Simpson's request for awards under 42 U.S.C. § 406(b) of \$10,000.00 is reasonable, particularly considering "it already effectively takes into account Ms. Simpson's failure to apply for [Equal Access to Justice Act] fees." (See Doc. No. 26 at 4–8).

Accordingly, the R&R (Doc. No. 26) is **APPROVED AND ADOPTED**. Plaintiff's motion for attorney's fees (Doc. No. 20) is **GRANTED**. Plaintiff's counsel, Donna Simpson, is **AWARDED** \$10,000.00 from Plaintiff's back-pay award. The SSA is **ORDERED** to: (1) release \$10,000.00 of the amount withheld from Plaintiff's past-due benefits to Ms. Simpson; and (2)

release any remaining portion of the withheld funds from Plaintiff's past-due benefits award to Plaintiff.

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
UNITED STATES DISTRICT JUDGE